

1 Andra Barmash Greene (CSB# 123931)

2 agreeene@irell.com

3 A. Matthew Ashley (CSB# 198235)

4 mashley@irell.com

5 **IRELL & MANELLA LLP**

6 840 Newport Center Drive, Suite 400

7 Newport Beach, California 92660

8 Tel: (949) 760-0991

9 Fax: (949) 760-5200

10 *Attorneys for Defendants, Uber Technologies Inc., et al.*

11 *(additional counsel on signature page)*

12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA**

14 MATTHEW PHILLIBEN, JULIAN MENA,  
TODD SCHREIBER, NATE COOLIDGE,  
ERNESTO MEJIA, and BYRON MCKNIGHT,  
individually and on behalf of all others similarly  
situated,

15 Plaintiffs,

16 vs.

17 UBER TECHNOLOGIES, INC., a Delaware  
Corporation, and RASIER, LLC, a Delaware  
18 Limited Liability Company,

19 Defendants.

20 Case No. 3:14-cv-05615-JST

21 HON. JON S. TIGAR

22 **JOINT STIPULATION UPDATING THE  
COURT ON THE PARTIES' SETTLEMENT  
IN PRINCIPLE AND [PROPOSED]  
ORDER VACATING THE CASE  
MANAGEMENT CONFERENCE  
SCHEDULED FOR FEBRUARY 22, 2017**

1 **TO THE HONORABLE COURT AND THE CLERK OF THE COURT:**

2 Pursuant to Civil Local Rule 6-2, Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber,  
 3 Nate Coolidge, Ernesto Mejia, and Byron McKnight (collectively, "Plaintiffs") and Defendants Uber  
 4 Technologies, Inc. and Rasier, LLC (collectively "Defendants") (collectively with Plaintiffs, the  
 5 "Parties") provide this update to inform the Court that they have reached a settlement in principle in this  
 6 case. The Parties are working on a Stipulation of Settlement with the goal of filing it along with a  
 7 motion for preliminary approval in the next sixty days. As a result, the Parties respectfully request this  
 8 Court to vacate the Case Management Conference currently scheduled for February 22, 2017.

9 By and through their respective counsel of record, the Parties hereby stipulate and request that  
 10 the Court enter an Order as follows:

11 WHEREAS, Plaintiffs commenced this action on January 6, 2015 [Dkt. 1];

12 WHEREAS, on February 11, 2016, Plaintiffs filed a Motion for Preliminary Approval of Class  
 13 Action Settlement [Dkt. 75-4];

14 WHEREAS, on August 30, 2016, the Court issued its Order Denying Motion For Preliminary  
 15 Approval Of Class Action Settlement (herein the "Denial Order") [Dkt. 98];

16 WHEREAS, since the date of the Denial Order, the Parties have engaged in multiple mediation  
 17 and settlement sessions;

18 WHEREAS, the Parties have reached a settlement in principle in this matter and are drafting a  
 19 Stipulation of Settlement, with the goal of filing said Stipulation along with a motion for preliminary  
 20 approval within approximately next sixty days;

21 WHEREAS, a Case Management Conference is currently scheduled for February 22, 2017 [Dkt.  
 22 108];

23 WHEREAS, no scheduling order has been entered and no trial date has been set for this case;

24 **NOW THEREFORE**, in consideration of the foregoing, the Parties, by and through their  
 25 undersigned counsel, hereby stipulate, agree and request that the Court enter an Order as follows:

- 26 1. Vacating the currently scheduled Case Management Conference; or  
 27 2. If the Court intends to keep the currently scheduled Case Management Conference date,

1 permitting this Stipulation to constitute the Parties' Joint Case Management Conference Statement; and

2       3. That discovery remains stayed.

3 **IT IS SO STIPULATED.**

4 Dated: February 17, 2017

**AHDOOT & WOLFSON, PC**

5 By: /s/ Robert Ahdoot

6                   Robert Ahdoot  
7                   *rahdoot@ahdootwolfson.com*  
8                   Tina Wolfson  
9                   *twolfson@ahdootwolfson.com*  
10                  1016 Palm Avenue  
11                  West Hollywood, California 90069  
12                  Phn: 310-474-9111; Fax: 310-474-8585

13                  *Counsel for Plaintiffs Julian Mena, Todd Schreiber, Nate  
14                  Coolidge, and Ernesto Mejia*

15 Dated: February 17, 2017

**ARIAS, SANGUINETTI, STAHL & TORRIJOS, LLP**

16 By: /s/ Mike Arias

17                  Mike Arias  
18                  *mike@asslawyers.com*  
19                  Alfredo Torrijos  
20                  *alfredo@asslawyers.com*  
21                  6701 Center Drive West, Suite 1400  
22                  Los Angeles, California 90045-7504  
23                  Tel: 310-844-9696; Fax: 310-861-0168

24                  *Counsel for Plaintiffs Matthew Philliben and Byron  
25                  McKnight*

26 Dated: February 17, 2017

**IRELL & MANELLA LLP**

27 By: /s/ A. Matthew Ashley

28                  A. Matthew Ashley

29                  *Counsel for Defendants Uber Technologies, Inc. and Rasier,  
30                  LLC*

1 [PROPOSED] ORDER  
2

3 Pursuant to the Parties' February 17, 2017 Stipulation, the Court:

- 4 (1) Orders that the Case Management Conference presently set for February 22, 2017 at 2:00  
5 p.m. is vacated; and  
6 (2) Orders that discovery shall remain stayed.

7 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

8 DATED: \_\_\_\_\_

9 Honorable Jon S. Tigar  
10 United States District Court Judge  
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## **ECF ATTESTATION**

I, Michael Harbour, am the ECF user whose ID and password are being used to file this JOINT STIPULATION UPDATING THE COURT ON THE PARTIES' SETTLEMENT IN PRINCIPLE AND [PROPOSED] ORDER VACATING THE CASE MANAGEMENT CONFERENCE SCHEDULED FOR FEBRUARY 22, 2017. I hereby attest that I received authorization to insert the signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Michael Harbour  
Michael Harbour